

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1429/2019

Date of Institution ... 16.10.2019  
Date of Decision ... 02.02.2022

Khalid Niaz Ex-Constable No. 1201-District Bannu Kotka Azmat Kala Azmat Khel  
Bannu. ... (Appellant)

**VERSUS**

District Police Officer Bannu and others.  
... (Respondents)

Naila Jan,  
Advocate ... For Appellant

Muhammad Adeel Butt,  
Additional Advocate General ... For respondents

**AHMAD SULTAN TAREEN** ... **CHAIRMAN**  
**ATIQ-UR-REHMAN WAZIR** ... **MEMBER (EXECUTIVE)**

**JUDGMENT**

**ATIQ-UR-REHMAN WAZIR MEMBER (E):-** Brief facts of the case are that the appellant was appointed as Constable in Police Department. During the course of his service, the appellant was proceeded against on the charges of misconduct and was awarded with minor punishment of forfeiture of 02 annual increments with accumulative effect vide order dated 19-06-2015, against which the appellant filed departmental appeal, which was considered and the penalty so awarded was set aside and de-novo inquiry was ordered vide order dated 04-09-2015. As a result of de-novo proceedings, the penalty already awarded was upheld vide order dated 30-05-2017. Feeling aggrieved, the appellant filed revision petition, which was also rejected vide order dated 17-05-2019, hence the instant service appeal with prayers that the impugned orders dated 19-06-2015,

30-05-2017 and 17-05-2019 may be set aside and two annual increments of the appellant may be restored with all back benefits.

02. Learned counsel for the appellant has contended that the impugned orders are against law, rules and norms of natural justice; that neither statement of director IBMS FIA HQRs Islamabad was recorded nor did statement of any other witness was recorded which is evident from the impugned order dated 19-06-2015; that no statement of any witness has been recorded in the de-novo proceedings and the inquiry officer badly failed to bring an iota of evidence against the appellant; that the impugned orders are void ab initio, as the same has been passed in violation of Article-10-A of the Constitution; that the impugned order is against FR 29 as the punishment has been given accumulative effect; that performance and honesty of the appellant is evident from the commendation certificate; that the impugned final order is non-speaking order as the revision petition has been rejected without assigning any reason.

03. Learned Additional Advocate General for the respondents has contended that the appellant was enlisted as Constable in Bannu Police and was on deputation to FIA; that upon complaint of FIA authorities, the appellant was proceeded against on the charges of incomplete/wrong/fictitious passport numbers in IBMS data at Peshawar air port; that the appellant was awarded with minor punishment of stoppage of 2 increments with accumulative effect; that departmental appeal of the appellant was considered and de-novo proceedings were ordered; that as a result of de-novo proceedings, the penalty already awarded was upheld; that DSP Cantt conducted inquiry and submitted its findings and after perusal of the report, the DPO entrusted the de-novo inquiry to SP Investigation, who reported that in light of the previous inquiry conducted by DSP Cantt, the order of the then DPO Bannu i.e. forfeiture of two annual increments with accumulative effect may be upheld; that as per recommendation of the inquiry officer, the penalty so awarded was upheld.

04. We have heard learned counsel for the parties and have perused the record.

05. Record reveals that the appellant while serving as Constable in Bannu Police, was transferred on deputation to Federal Investigation Agency (FIA). While analyzing IBMS Data in respect of international travelers for the year 2012 of Peshawar Airport, it was noticed that immigration counter officers working on IBMS had fed incomplete/wrong/fictitious passport numbers. For such casual behavior, 35 officials including the appellant were nominated for disciplinary proceedings and case of the appellant was sent by FIA to Bannu police for disciplinary proceedings vide order dated 26-08-2014. Disciplinary proceedings were initiated against the appellant and he was awarded with minor penalty of stoppage of two annual increments with cumulative effect. The appellant filed departmental appeal to the appellate authority, which was considered and the appellate authority noticed that the penalty awarded to the appellant is not in consonance with law, as the departmental proceedings in the subject case was found incomplete, hence the order dated 19-06-2015 was set aside and de-novo inquiry was ordered.

06. The available record is incomplete from either side; hence, we are constrained to rely upon the available record. Neither the first inquiry report is available on file nor the de-novo inquiry report, hence it cannot be ascertained as to whether the appellant was associated with proceedings of the inquiry or the proceedings were conducted as per law or otherwise. What we have gathered from the available record is that the appellant was proceeded against without recording statement of the complainants i.e. FIA, nor the appellant was afforded opportunity to cross-examine such witnesses, thus the respondents violated Section 11 (1) and (4) of E&D Rules, 2011 by not affording opportunity to cross examine witnesses, nor recorded statements of witnesses in presence of appellant, thus deprived the appellant of his lawful right, which was not

warranted by law. Reliance is placed on 2002 SCMR 433, 2012 PLC (CS) 728 and 1997 SCMR 1073. The first inquiry report and the impugned order dated 19-06-2015 were set aside by the appellate authority as proceedings so conducted were found incomplete. The inquiry officer in the de-novo proceedings placed reliance on the first inquiry report without conducting fresh inquiry and without issuing fresh showcause to the appellant, which was violation of provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. It is pertinent to mention that the inquiry which was set aside by the appellate authority was again made a base for penalizing the appellant once again, which however was not warranted. We have observed that 35 officials working on IBMS Data including the appellant were held responsible by FIA for wrong entries of passports, but it is astonishing to note that the appellant being a constable having no nexus with entries of data was involved in the case, which was neither investigated at the level of FIA nor by his parent department and the appellant was penalized only on the basis of a letter dated 26-08-2014 addressed to DPO Bannu by FIA authorities.

07. We are of the considered opinion that the appellant has not been treated in accordance with law and the proceedings conducted against the appellant is replete with deficiencies. Neither any proper inquiry was conducted nor statements of the witnesses were recorded in presence of the appellant and no charge was established against the appellant. The inquiry officer wrote letters to FIA repeatedly but with no response from the main complainants, i.e. the FIA authorities and finally the inquiry officer concluded his findings merely on the basis of surmises and conjectures. Main task of the inquiry officer was to prove such allegations with solid evidence, but the inquiry officer badly failed to prove such allegations. The respondents preferred to punish the appellant only based on presumptions; facts however, had to be proved and not presumed. Reliance is placed on 2002 PLC (CS) 503 and 2008 SCMR 1369. In order to justify their

stance, the respondents had projected the appellant with a tainted past, whereas on the strength of PLJ 2005 Tr.C (Services) 107 and PLJ 2016 Tr.C. (Services) 324, it cannot be made a ground for awarding penalty to a government servant.


08. There are enough grounds available on record to show that the appellant has not been treated in accordance with law and was treated discriminately. Neither the charges of negligence were proved against him nor the wrong entries of passports; despite he was awarded minor punishment in an unlawful manner without adhering to the method prescribed in law.

09. In view of the foregoing discussion, the instant appeal is accepted. The impugned orders dated 19-06-2015, 30-05-2017 and 17-05-2019 are set aside and two annual increments of the appellant are restored with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

02.02.2022

  
(AHMAD SULTAN TAREEN)  
CHAIRMAN

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)

ORDER

02.02.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted. The impugned orders dated 19-06-2015, 30-05-2017 and 17-05-2019 are set aside and two annual increments of the appellant are restored with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

02.02.2022




(AHMAD SULTAN TAREEN)  
CHAIRMAN



(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)

12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

Stipulated period passed reply not submitted.

01.11.2021

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Reply on behalf of respondents was submitted. The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 02.02.2022 before D.B.

  
Chairman

25.11.2020

Appellant has not forth come despite having been called time and again. Likewise no one on behalf of respondents as appeared despite having been dispatched pre-admission notice. The services of respondents have to be procured again through issuance of notice by adopting proper procedure for 23.02.2021 directing them to submit their respective reply and file to come up for reply and arguments before S.B.

(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

23.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 09.06.2021.

  
**Reader**

09.06.2021

Counsel for the appellant and Azeemullah, H.C alongwith Kabirullah Khattak, Addl. AG for the respondents present. Reply on behalf of the respondents received on pre-admission notice. Preliminary arguments heard.

Points raised need consideration. The is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. File to come up for arguments on 01.11.2021 before the D.B .

  
Chairman

Appellant Deposited  
Security & Process Fee

17/6/21

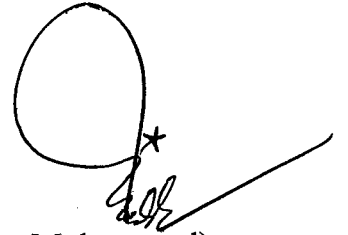


19.08.2020

Counsel for the appellant present.

For clarification of few points, let pre-admission notice be issued to the learned Additional Advocate General.

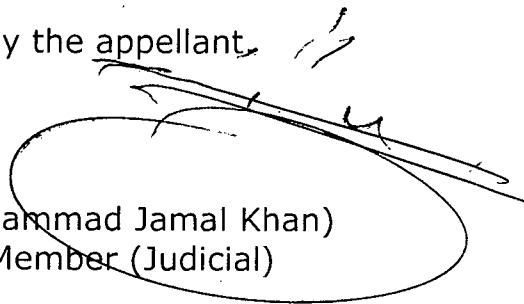
Adjourned to 25.09.2020 before S.B.



(Mian Muhammad)  
Member(E)

25.09.2020

Appellant himself alongwith Miss. Naila Jan, Advocate, are present. Preliminary arguments heard. The issue involved in the instant appeal required further elaboration and assistance of learned counsel for appellant as well as learned counsel representing respondents, therefore, it is deemed appropriate to issue pre-admission notice to the respondents who are to file their respective reply. File to come up for reply and arguments on 25.11.2020 before S.B. The expenses of notices shall be borne by the appellant.



(Muhammad Jamal Khan)  
Member (Judicial)

15.01.2020

Junior to counsel for the appellant present.

Requests for adjournment due to general strike of the Bar today. Adjourned to 27.02.2020 before S.B.

  
Chairman

27.02.2020

Learned counsel for the appellant present and seeks adjournment to assist this Tribunal on the issue of limitation as the present service appeal appears to be barred by limitation. Adjourned to 30.03.2020 before S.B for preliminary hearing.

  
Member

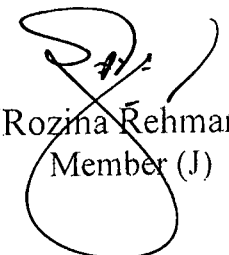
31.03.2020

Due to public holiday on account of COVID-19, the case is adjourned for the same on 22.06.2020 before S.B.

  
Reader

22.06.2020

Nemo for the appellant. Record shows that the case was adjourned at the request of learned counsel for the appellant on 27.02.2020 in order to assist the Tribunal on the point of limitation. Today, neither the appellant nor his counsel appeared before the court, As the preceding order sheet shows that the case was adjourned on reader's note due to public holiday, therefore notice be issued to the appellant and his counsel for arguments on 19.08.2020 before S.B.


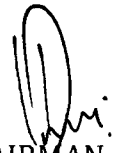

  
(Rozina Rehman)  
Member (J)

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1429/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/10/2019	<p>The appeal of Mr. Khaled Niaz resubmitted today by Naila jan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 28/10/19</p>
2-	30/10/19.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>10/12/19.</u></p> <p> CHAIRMAN</p>
	10.12.2019	<p>Nemo for appellant.</p> <p>Notice shall be issued to appellant/learned counsel for preliminary hearing on 15.01.2020 before S.B.</p> <p>Chairman </p>

The appeal of Mr. Khalied Niaz Ex-Constable No. 1201 District Bannu received today i.e. on 16.10.2019 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Affidavit may be got attested by the Oath Commissioner.
- 5- Copies of departmental appeal and denovo enquiry mentioned in para-6 of the memo of appeal are not attached with the appeal which may be placed on it.
- 6- Copy of mercy petition mentioned in para-7 of the memo of appeal is not attached with the appeal which may be placed on it.
- 7- Heading of the appeal is incomplete which may be completed.
- 8- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1779 /S.T.

Dt. 17/10/2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Naila Jan Adv. Peshawar.

*objections removed and the  
resubmitted by  
Naila Jan Advocate  
28/10/2019  
however some significant  
denovo enquiry is not  
attached in some  
may kindly  
be received from the respondents.  
28/10/2019*

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Appeal No. 1429 /2019

Khalid Niaz Ex- Constable

**VERSUS**

District Police Officer Bannu & Others.


**INDEX**

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9.	Other documents	"E"	16
10	Wakalat Nama		

Dated: 16/10/2019

  
Appellant

Through

Naila Jan   
Advocate, High Court  
Peshawar.

①

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Appeal No. 1429/2019

Diary No. 1458

Dated 16-10-2019

Khalid Niaz Ex-Constable No: 1201-District  
Bannu. Kotka Azmat Kela Azmat Khel Bannu.

-----*(Appellant)*

**VERSUS**

1. District Police Officer Bannu.
2. Regional Police Officer, Bannu Region Bannu.
3. Inspector General of Police KPK.

-----*(Respondents)*

**APPEAL U/S 4 OF KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL  
ACT -1974 AGAINST THE IMPUGNED  
ORDER DATED 19/06/2015 WHEREBY  
PUNISHMENT OF THE FOREFETURE  
OF TWO ANNUAL INCREMENTS WITH  
ACCOMULATIVE EFFECT WAS  
AWARDED TO APPELLANT WHICH  
WAS REJECTED VIDE ORDER DATED  
30/5/2017, AND ORDER DATED  
17/05/2019 WHEREBY THE MERCY  
PETITION OF THE APPELLANT WAS  
REJECTED WHICH WAS  
COMMUNICATED ON 16/09/2019.**

Filed to-day

Registrar

16/10/19

**PRAYER IN APPEAL:-**

**ON ACCEPTANCE OF THE INSTANT  
SERVICE APPEAL, THE IMPUGNED ORDER  
DATED 09/08/2015, 30/05/2017 AND ORDER  
DATED 17/05/2019 MAY KINDLY BE SET**

Re-submitted to -day  
and filed.

Registrar

28/10/19

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ASIDE AND THE TWO ANNUAL  
INCREMENTS OF THE APPELLANT MAY  
KINDLY BE RESTORED WITH ALL BACK  
BENEFITS.

FACTS:

Appellant submits as under:-

1. That the appellant was enlisted in the Police Department as Constable and performed his duties with great zeal & zest, enthusiasm, and to the entire satisfaction of the Respondents.
2. That while performing his duties, the appellant was charge sheeted along with statement of allegation on the allegations that the appellant has file 3 petitions passed out which was duly replied by the appellant and neglect all the allegations. (Copy of charge sheet is attached as annexure "A")
3. That thereafter a fact finding inquiry was conducted which was not finalized and the

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inquiry officer failed to prove the allegations against the appellant.

4. That thereafter the appellant was awarded minor punishment of forfeiture of 02 annual increments with accumulative effect vide dated 19/06/2015, without issuing a show-cause notice or opportunity of personal hearing. (Copy of the order dated 19/06/2015 is annexure "B")
5. That feeling aggrieved from the order to Respondent No.3 dated 19/06/2015, the appellant file a departmental appeal before Respondent No.2 who ordered for initiative of Denovo proceedings vide order dated 04/09/2015. (Copy of the order dated 04/09/2015 is attached as Annexure "C").
6. That a so called Denovo inquiry was conducted, however, the appellant was not associated with the same nor statement of any witnesses have been recorded. However, in a cursory manner vide order dated



(4)

30/05/2017, order dated 19/06/2015 was upheld. (Copy of the Denovo inquiry & order is Annexure "D").

7. That feeling aggrieved from the order dated 30/05/2017 the appellant filed a mercy petition, however the same was rejected vide order dated 17/05/2019 communicated on 16/09/2019. (Copy of the order dated 17/05/2019 is annexure "E").

8. That feeling aggrieved from the impugned order dated 19/06/2015, 30/05/2017 and 17/05/2019, the appellant now filing this appeal on the following grounds inter-alia:-

### **GROUND:**

A. That the impugned remarks are against the law rules and principle of natural justice.

B. That neither statement of Director FIA KPK Peshawar and project director IBMS FIA/HQRs Islamabad was recorded nor did

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statement of any other witness was recorded which is evident from the impugned order dated 19/06/2015.

C. That even no statement of any witness has been recorded in the Denovo proceedings and the inquiry officer badly failed to bring in iota of evidence against the appellant.

D. That the impugned orders are void, ab-initio, as the same has been issued by in violation of Article 10-A of the Constitution of Pakistan 1973.

E. That the impugned order is against FR 29 as the punishment has been given accumulative effect.

F. That the performance and honesty of the appellant is evident from the recommendation certificate. Hence the remarks of both the reporting as well as counter signing officer

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are based on malafide and without justification and solid grounds.

G. That the impugned final order is non-speaking order as the same has been rejected without assigning any reason.

H. That the appellant well adduce other grounds during the course of arguments.

It is therefore requested that the appeal of the appellant may kindly be accepted as prayed for.

Dated: 16/10/2019.

*Khairuddin*  
Appellant

Through

*Naila Jan*  
**Naila Jan**  
Advocate, High Court  
Peshawar.

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2019

Khalid Niaz Ex- Constable

**VERSUS**

District Police Officer Bannu & Others.

**AFFIDAVIT**

I, Khalid Niaz Ex-Constable No: 1201-District Bannu, do hereby solemnly affirm and declare that all the contents of the application for condonation of delay are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

*Khalid Niaz*  
**DEPONENT**

**IDENTIFIED BY:**

**NAILA JAN** *Naila Jan*  
Advocate, High Court  
Peshawar.

**ATTESTED**  
IRFAN ULLAH ADVOCATE  
NOTARY PUBLIC  
*22/1/2019*

(2)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2019

Khalid Niaz Ex- Constable

**VERSUS**

District Police Officer Bannu & Others.

**ADDRESSES OF PARTIES**

**APPELLANT.**

Khalid Niaz Ex-Constable.

**ADDRESSES OF RESPONDENTS**

1. District Police Officer Bannu.
2. Regional Police Officer, Bannu Region Bannu.
3. Inspector General of Police KPK.

Dated: 16/10/2019

*Khalid Niaz*  
Appellant

Through

*Naila Jan*  
**Naila Jan**  
Advocate, High Court  
Peshawar.

9

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2019

Khalid Niaz Ex- Constable

**VERSUS**

District Police Officer Bannu & Others

***Respectfully Sheweth,***

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the petitioner was communicated the final order dated 17/05/2019 on 16/09/2019, hence the instant appeal is within time, however, if there is any delay the same is condonable on the following grounds:-

***Grounds:***

- A. That the delay is not willful but due to the non communication of the impugned order was on the part of the respondents.

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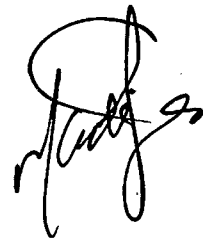
- B. That the impugned order has been given accumulative effect which termed the impugned order is void, hence no limitation run against void order.
- c. That the Respondent department does not fulfill codal formality before imposing the impugned order and no opportunity of defense has been provided to the appellant thus the impugned order is void.
- d. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

**It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.**

**Dated:** 16/10/2019

Through

*Appellant*



**Naila Jan**  
Advocate, High Court  
Peshawar.

CHARGE SHEET:

(11)

(33)

14

*Abdur Rashid*

I, ABDUR RASHID District Police Officer, Bannu, as competent authority, hereby charge you Constable Khalid Niaz No.1201/359 as follows:-

1. > You while posted in FIA department Khyber Pakhtunkhwa Peshawar, the project Director /IBMS FIA HQ: Islamabad has reported that as immigration Counter Officer, you have fed 03 incomplete/wrong/fictitious passport numbers with some ulterior motives, which caused criminal negligence or casual behavior ensuring in violation of sanctity of the IBMS data which could be used in preparation of accurate travel histories in future.
2. By reason of the above you appear to be guilty of misconduct under the police Rules (Amended vide NWFP gazettee, 27 the January 1976) and have rendered yourself liable to all or any of the penalties specified in the said rules.
3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
4. Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
5. You are directed to intimate whether you desire to be heard in person.
6. A statement of allegation is enclosed.

*Abdur Rashid*  
(ABDUR RASHID)  
District Police Officer,  
Bannu.

*Attested*  
*with*  
*signature*



ORDER:

This order of the undersigned will dispose off the departmental proceeding, initiated against Constable Khalid Niaz No.1201/359 for committing the following commission /omissions.

- He while posted in FIA department Khyber Pakhtunkhwa Peshawar, the project Director /IBMS FIA HQ: Islamabad had reported that as immigration Counter Officer, he had fed 03 incomplete/wrong/fictitious passport numbers with some ulterior motives, which caused criminal negligence or casual behavior ensuring in violation of sanctity of the IBMS data which could be used in preparation of accurate travel histories in future.

DSP/HQrs, Bannu conducted the enquiry and submitted his findings, wherein, he opined to the effect that he (E.O) addressed Director FIA K.P.K Peshawar and project Director IBMS FIA/HQrs Islamabad to sent written statements against the accused official but no written statement have been received so far, while the accused constable stated in his statements that he had performed official duty with great zeal and zest. The enquiry officer further stated that without the statements of the above officers, the enquiry papers could not finalize.

The undersigned called the accused official in orderly room and heard in person. During the personal hearing and perusal of the enquiry papers, the undersigned directed SRC to addressed FIA authorities for obtaining their written statements. Resultantly, Director FIA K.P.K Peshawar was addressed in this regard, vide this office letter No.6297 dated 24-04-2015. He (Director FIA K.P.K) in response to the letter of DSP/HQrs Bannu sent his report vide his letter No.FIA KPK/Adm/DP-42/13/14/19995 dated 11-12-2014 (attention to SRC), wherein he requested that the directions of competent authority conveyed by Director KPK Peshawar and the show cause notice issued to (FC Khalid Niaz) may be treated as his version.

Subsequently, the accused official was again provided opportunity of personal hearing in orderly room on dated 08-06-2015 but he badly failed to rebut the allegations.

Keeping in the above I, Abdur Rashid, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August, 2014), hereby award him minor punishment of forfeiture of 02 annual increment with accumulative effect.

(ABDUR RASHID)PSP  
District Police Officer,  
Bannu.

OB No. 556  
Dated: 19-06- /2015.  
No. 8480-65 dated Bannu, the 19/06 /2015

Copies to:

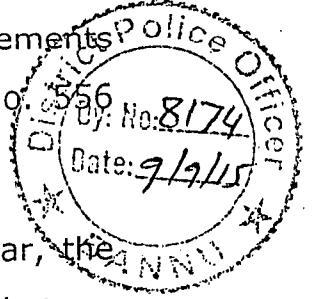
1. The Director FIA KPK Peshawar. w/r to his letter No.FIA/KPK/Admn/DP-42/13/14/7721 dated 26-08-2014.
2. The Additional Director FIA KPK Peshawar w/r to his letter No.FIA/KPK/Admn/DP-42/13/14/10995 dated 11-12-2014.
3. The Regional Police Officer Bannu for favour of information w/r to his office Memo No.910/EC dated 15-04-2015.
4. The Pay Officer Bannu.
5. The SRC, DPO Office, Bannu.
6. The OASI, DPO Office, Bannu (along with complete enquiry file) for N.A.

*Abdur Rashid*  
District Police Officer,  
Bannu.

(ABDUR RASHID)PSP  
District Police Officer,  
Bannu.

ORDER.

My this order will dispose off the Mercy Petition in respect of Constable Khalid Niaz No. 359 of Bannu District Police against the Minor punishment of forfeiture of 02-annual increments with accumulative effect, awarded by DPO/Bannu vide OB: No. 556 dated 19.6.2015 on committing of the following omission:-



- That he, while posted in FIA departmental KPK, Peshawar, the project Director/IBMS-HQrs: Islamabad had reported that as immigration Counter Officer, he had fed 03-incomplete/wrong/fictitious passport numbers with some ulterior motives, which caused criminal negligence or casual behavior ensuring in violation of sanctity of the IBMS data which could be used in preparation of accurate travel histories in future.

Service Record of the appellant was thoroughly perused and the appellant heard in person in orderly room on 25.8.2015 by the undersigned.

Therefore, I, Muhammad Tahir, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room, it was found that the aforementioned punishment order, passed by DPO/Bannu is not in consonance with law, for the departmental proceedings in the subject case was found incomplete. Hence in acceptance of the instant Mercy Petition, the aforementioned order is hereby set-aside and initiation of Denovo proceedings in the subject case are hereby ordered with immediate effect.

Order announced.

(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

No. 2000 /EC, dated. 04 /09/2015.

Copy to :-

- The District Police Officer, Bannu for information and n/action w/r to his office Memo: 10072 dated 5.8.2015.

SRE/DSP Cantt  
For mqr

Muhammad  
DPO/Bannu  
7/9/15

(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

Received  
dt. 18.11.15  
by constable  
Asmatullah  
Hjat  
Talbot.

3/9/15

ORDER:

(12)

Amul's 13"

This order of the undersigned will dispose of the denovo departmental proceeding, initiated against accused Constable Khalid Niaz No. 1201 vide Regional Police Officer, Bannu Region, Bannu order Endst: No. 2000/EC, dated 04.09.2015 under general proceeding of police rule 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification No.27<sup>th</sup> of August 2014) for committing the following commissions/omissions:-

That he, while posted in FIA department Khyber Pakhtunkhwa Peshawar, the project Director /IBMS FIA HQ: Islamabad had reported that as immigration Counter Officer, he had fed 03 incomplete/wrong/fictitious passport numbers with some ulterior motives, which caused criminal negligence or casual behavior ensuring in violation of sanctity of the IBMS data which could be used in preparation of accurate travel histories in future


The denovo departmental proceeding on the above allegations conducted through DSP/Cantt: Bannu and submitted finding report that inspite of repeated correspondence with FIA department, the FIA authority did not interest in the enquiry proceedings against Constable Khalid Niaz No. 1201. Furthermore, the official was previously awarded Major Punishment of Dismissal vide OB No. 1066, dated 16.12.2015.

After perusal of enquiry file, the then DPO, Bannu was entrusted the enquiry file to SP Investigation, Bannu for conducting re-denovo enquiry.

The SP Investigation, Bannu (EO) has submitted finding report and reported that in the light of previous enquiries conducted through DSP/HQrs: Bannu and DSP/Cantt: Bannu, the order of the then DPO, Bannu i.e. forfeiture of two annual increments with accumulative effect vide OB No. 556, dated 19.06.2015 may be upheld.

In the light of denovo departmental proceedings, recommendation of Enquiry Officers and perusal of record, I, Sadiq Hussain, District Police Officer, Bannu in exercise of the power vested in me under Police Rule 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification No.27<sup>th</sup> of August 2014), the punishment of forfeiture of two annual increments with accumulative effect of the then DPO, Bannu vide OB No. 556, dated 19.06.2015 is hereby upheld.


OB No. 407  
Dated : 30-05-2017

  
(SADIQ HUSSAIN) PSP  
District Police Officer  
Bannu.

No. 8509-11 /SRC dated Bannu, the 30/5/2017

Copies of above is submitted to the Regional Police Officer, Bannu Region Bannu for favour of information w/r to his office order Endst: No.2000/EC, dated 04.09.2015.

1. Pay Officer, SRC
2. OASI, along with enquiry file for placing it in the Fauji Missal.

  
(SADIQ HUSSAIN) PSP  
District Police Officer  
Bannu.

*retreated  
start*



(15)

Amir E<sup>n</sup>  
5157  
23/5/19

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar.

No. S/ 1827 /19, dated Peshawar the 17/05/2019.

To: The Regional Police Officer,  
Bannu.

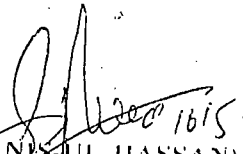
Subject: MERCY PETITION.

Memo:

Please refer to your office Memo: No. 1823/EC, dated 30.04.2019.

The Competent Authority has examined and filed the mercy petition submitted by Constable Khalid Niaz Khan No. 359 of Bannu District Police against the punishment of forfeiture of two annual increments with cumulative effect awarded by DPO/Bannu vide OB No. 407, dated 30.05.2017, being badly time barred.

The applicant may please be informed accordingly.

  
(SYED ANIS-UL-HASSAN)  
Registrar,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

Nb 2046 IEC  
Dated 22/5/2019

DPO/Bannu

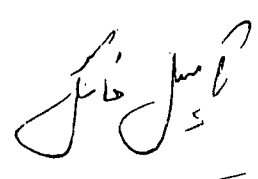
For information  
and n/a.


OK/SRE  
inform the applicant accordingly.  
RPO/Bannu  
21/5/2019.



District Police Officer  
BANNU

22/5



  
1/11/2  
16/09/2019

بخدمت جناب ریجنل پولیس آفیسر، انوں ریجن انوں

مستقل عدالت 2 سالہ تاہم عدالت

جناب عالی

عرض ہے کہ سائل ایک فرض شاس اور لڑائیں منہمی کی انجام دہی ہمیشہ صدق دل سے دیکھنے والا تھکے پولیس کا ملازم ہے سائل ایل رض رساں ہے۔ یہ کہ میرا دورہ 2011 کو FIA پشاور زون میں اینٹیشن تیار کیا گیا اور جبرائی 2014 کو 3 سال کی اینٹیشن عرصہ مکمل کرنے کے بعد واپس تھکے پولیس ضلع انوں کو تیار ہوا۔

یہ کہ دورہ 24.09.2013 کو FIA کی ایڈمنسٹریشن نے FIA کے 35 کیپوٹر آپریٹرز کو ٹیکنیکل مسٹیک پر Show Cause Notice جاری کیے۔ چونکہ سائل کا تعلق انوں پولیس سے تھا اسلئے حکمانہ انکوٹری کے لئے اسٹریٹ پولیس انوں کو درجہ بالا Show Cause Notice ارسال کیا گیا اور ضلعی پولیس سربراہ نے DSP/HQs کو برائے انکوٹری مارک کیا۔ اور میرے علاوہ جو باقی کیپوٹر آپریٹرز جن کو بھی اسی ٹیکنیکل مسٹیک پر Show Cause Notice ملا تھا وہ چونکہ FIA کے اپنے اہلکار تھے لہذا انکی انکوٹری FIA میں ہی ہوئی جن کو وارننگ دے کر انکوٹری کو وکس کیا گیا۔

یہ کہ DSP/HQs Bannu نے کئی مرتبہ FIA پشاور زون کو بابت انکوٹری اور ٹیکنیکل معلومات ایبانات کے حصول کے لئے لینرز ارسال کئے مگر FIA پشاور کے ایڈمنسٹریشن کی طرف سے کوئی جواب موصول نہیں ہوا۔ جس کو مد نظر رکھتے ہوئے انکوٹری آفیسر (DSP/HQs) نے سائل کے فائنڈنگ رپورٹ میں واضح کیا کہ سائل بے گناہ ہے اور اپنی ذہنی خوش اسلوبی سے انجام دی ہے۔ اس انکوٹری پر جناب DPO صاحب نے انکوٹری آفیسر کے فائنڈنگ رپورٹ کو پس پشت ڈال کر سائل کو عنوان بالا سزا سائل کو تکرار جرم پر دے دی۔

یہ کہ سائل نے مندرجہ بالا سزا کے خلاف جناب RPO صاحب انوں کو رقم درخواست کی اور RPO صاحب نے بوجہ تکمیل انکوٹری کے DENOVO انکوٹری کا حکم صادر کیا۔

یہ کہ DPO صاحب انوں نے DENOVO انکوٹری کے لئے SP/INV کو مارک کیا جس نے بھی FIA پشاور زون کے ایڈمنسٹریشن کے ایبانات دیکھا ورنے و جرح کے بغیر انصاف اور قانونی تقاضوں کو بالائے طاق رکھتے ہوئے، فائنڈنگ میں DPO صاحب انوں کی دی گئی سزا کو برقرار رکھنے کی سفارش کی۔

درجہ بالا حقائق کی روشنی میں سائل کو دی گئی سزا اور اسرا انصافی اور قواعد و ضوابط کی خلاف ورزی پر مبنی ہے۔ سائل ایک شریف انسان اور غریب گھرانے سے تعلق رکھتا ہے اور 2 سالہ انگریمنٹ کی وجہ سے مالی مشکلات سے دوچار ہے۔ لہذا آپ صاحبان سے استدعا کی جاتی ہے کہ عنوان بالا سزا کو Set-aside کرنے کا حکم صادر فرما کر مشکور فرمائیں۔

Sir. سائل تازیت دعا گو ہے گا۔  
مورخہ: 19.12.2018

Atsoli by [Signature]

SHO/Canal BU  
19-12-18

Sir,  
forwarded  
[Signature]  
DSP/Canal  
18

کا پیسٹل خالد نیاز خان نمبر 359 حیدرآباد کینٹ، ضلع بنوں۔  
19/12/18

## وکالت نامہ

بعدالت ..... سروس ٹریڈینگز پرائیویٹ لمیٹڈ  
خالد نیاز ..... بنام ڈسٹرکٹ پولیس آفیسر منور  
منجانب: ..... تاریخ: 16/10/2019

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام ..... کے لیے ہے۔

## نانکہ جان ایڈوکیٹ ہائی کورٹ

کو بدیں شرط و کیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو بروئے عدالت حاضر ہوتا ہوں گا اور بوقت پکارے جانے مقدمہ و کیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کرونگا اگر پیشی پر من مظهر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داختمہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپرد ثلثی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا ایگی علیحدہ مختیار نامہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزو کی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں نیز ایسے مشیر قانون کو ہر امر میں وہی اور ایسے ہی اختیارات حاصل ہوں گے جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ مختیار نامہ لکھ دیتا کہ سندر ہے۔ مورخہ 16/10/2019۔ مضمون مختیار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

ATTESTED & ACCEPTED





نانکہ جان ایڈوکیٹ پشاور ہائی کورٹ پشاور

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No.1429/2019**

Khalid Niaz Ex-Constable No. 1201 District Bannu ..... Appellant

**Versus**

The Inspector General of Police Khyber Pakhtunkhwa Peshawar and others.

..... Respondents

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4	Copy of letter of FIA	"A"	6

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No. 1429/2019**

Khalid Niaz Ex-Constable No. 1201 District Bannu ..... Appellant

**Versus**

The Inspector General of Police Khyber Pakhtunkhwa Peshawar and others.

..... Respondents

**PARA WISE COMMENTS/REPLY ON BEHALF OF RESPONDENTS NO. 1, 2 & 3**

**Preliminary Objections**

1. That the appeal of the appellant is badly time-barred.
2. That the appeal is not maintainable in its present form.
3. That the appellant has concealed the actual facts from this Honorable Tribunal.
4. That the appeal is bad in law due to mis-joinder and non-joinder of necessary parties.
5. That the appellant has approached the Honourable Tribunal with unclean hands.
6. That the appellant has got no cause of action and locus-standi to file the instant appeal.
7. That the appellant has been estopped by his own conduct.

**OBJECTIONS ON FACTS:**

**Respectfully Sheweth painted**

1. Correct to the extent that the appellant was enlisted in police department but rest of the para is incorrect. The appellant has a colorful record and he was previously awarded major punishment of dismissal from service vide OB No.1066 dated 16.12.2015 on account of having contact and association with the notorious peddlers and criminals as well as anti-social elements and provided active support and information about police raids to them.
2. Pertains to record. Hence, needs no comments.
3. Incorrect. DSP/ HQrs Bannu namely Syed Inayat Ali Shah was appointed as inquiry office who conducted departmental inquiry. He addressed a letter vide No.695/HQ dated 17.10.2014 to Director FIA KP Peshawar and letter No.694/HQ dated 17.10.2014 to Project Director IBMS FIA/HQrs Islamabad to send written statements against the accused official. The then DPO Bannu also called the accused official in orderly room and heard in person. During personal hearing



and perusal of the inquiry papers, the DPO Bannu directed SRC to address FIA authorities for obtaining their written statements. Resultantly, Director FIA KP Peshawar was addressed in this regard. In response, the Director FIA KP, requested in his memo that the directions of competent authority conveyed by Director KP Peshawar and the show cause notice issued to FC Khalid Niaz may be treated as his version. **(letter of FIA is annexed as annexure-A)**

Subsequently, the accused official was again provided opportunity of personal hearing in orderly room on 08.06.2015 but he badly failed to rebut the allegations.

4. Incorrect. proper inquiries were conducted by Director FIA. Then the appellant was repatriated to parents department District Bannu for proceeding departmentally due to his criminal negligence. After that DSP/HQrs Bannu also conducted inquiry.
5. Pertains to record. Hence, needs no comments.
6. Incorrect. DSP/Cantt Bannu conducted de novo departmental inquiry and submitted findings report. After perusal of inquiry file, the then DPO Bannu entrusted the inquiry to SP Investigation Bannu for conducting de-novo inquiry and SP Investigation submitted his finding report and reported that in the light of previous inquiries conducted through DSP/HQrs Bannu and DSP/Cantt Bannu, the order of the then DPO Bannu i.e. forfeiture of two annual increments with accumulative effect vide OB No.556 dated 19.06.2015 may be upheld.
7. Incorrect. mercy petition to PPO was rejected due to time barred.
8. Pertains to record. Hence, needs no comments.


#### **OBJECTIONS ON GROUNDS**


- A. Incorrect. Proper inquiry was conducted under the cover of specified rules i.e. Police Rules 1975 and after inquiry proceedings and establishment of the charges, recommended the appellant for the punishment.
- B. Incorrect. Director FIA IBMS namely Ghalib A. Bandesha has already addressed Director FIA KP IBMS vide letter No.11146-48 dated 10.09.2013 and detail was provided along with *Travelers Data with Wrong Entry against Pak Passports Numbers*.
- C. Incorrect. Reply has already been given in para No.6.
- D. Incorrect. The petitioner was treated according to law/rules specified for the inquiry proceedings, the punishment was awarded after establishment of the charges and recommendations of the inquiry officer.


- E. Incorrect. Reply has already been given in the above para.
- F. Pertain to record. However, rest of the para incorrect. The punishment was awarded after establishment of the charges and recommendations of the inquiry officer. He appeared in person before the Respondent No.1 but he badly failed to rebut the allegations.
- G. Incorrect. Final order issued by Respondent No.3 is based on facts, and the mercy petition was rejected by the competent authority due to subject appeal was badly time barred.
- H. The Respondents department may kindly be allowed to advance any other grounds & material as evidence in the time of arguments.

**PRAYER:**

In view of the above replies, it is most humbly prayed that the appeal of the appellant may kindly be dismissed with cost please.

  
District Police Officer,  
Bannu  
(Respondent No.1)

  
Regional Police Officer,  
Bannu Region, Bannu  
(Respondent No.2)

  
Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.3)

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No.1429/2019**

Khalid Niaz Ex-Constable No. 1201 District Bannu

.....

**Appellant**

**Versus**

The Inspector General of Police Khyber Pakhtunkhwa Peshawar and others.

..... **Respondents**

**AFFIDAVIT**

I, **Muhammad Farooq Khan**, Inspector Legal representative for Respondent Nos. 1, 2 & 3, do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by me are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.



**DEPONENT**

**11101-1483421-1**

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No.1429/2019**

Khalid Niaz Ex-Constable No. 1201 District Bannu ..... Appellant

**Versus**

The Inspector General of Police Khyber Pakhtunkhwa Peshawar and others.

..... Respondents

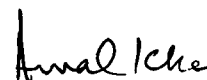
**AUTHORITY LETTER.**

Mr. Muhammad Farooq Khan, Inspector Legal is hereby authorized to appear before The Service Tribunal Khyber Pakhtunkhwa Peshawar on behalf of the undersigned in the above cited case.

He is authorized to submit and sign all documents pertaining to the present appeal.



**District Police Officer,  
Bannu  
(Respondent No.1)**



**Regional Police Officer,  
Bannu Region, Bannu  
(Respondent No.2)**



**Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.3)**



SI

Confidential

OFFICE OF THE DIRECTOR  
FEDERAL INVESTIGATION AGENCY  
PHASE-V HAYATABAD  
KHYBER PAKHTUNKHWA PESHAWAR  
PH: 921-9217801, FAX: 091-9217813

41

No. FIA/KPK/Admn/DP-42/13/14/ 7721

Dated: 26-8-2014.

To,

✓ The District Police Officer,  
Bannu,

8365  
8-8-14

Subject: DEPARTMENTAL ENQUIRY AGAINST KHALID NIAZ (NO. 1201)  
CONSTABLE OF DISTRICT POLICE BANNU.

FC Khalid Niaz No. 1201 was serving on Deputation from District Police Bannu for a period of 03 years. After completion of 03 year period, he was repatriated to his parent Department i.e District Police Bannu vide office order No. 74 / 2014 issued vide endorsement No. FIA/KPK/Admn/M-36/2014/6876-93 dated 18.07.2014 (copy enclosed). During his service in FIA he was preceeded departmentally due to his criminal negligence.

In this regard complete original enquiry file containing 11 pages against Khalid Niaz No. 1201 Constable of District Police Bannu, for favour of further necessary action.

In the light of Para-2 (9) of the E& D Rules 1973 (copy enclosed) strict action may please be taken against him under intimation to this office.

(Enclosed Page 13)

2313-HQ  
9.9.014

(MAQSOUD ULLAH HASSAN) PSP  
Director  
FIA KHYBER PAKHTUNKHWA

Copy to:-

1. The Provincial Police Officer KPK Peshawar.
2. The AIG / Establishment KPK Police Peshawar.
3. The DIG of Police Bannu.
4. The Deputy Director / Discipline FIA HQrs Islamabad.

*Mudun*  
*OS/Head GRG/ASG*

In further intimation as desired by the FIA authorities

*Amended*  
*Sho Bannu*  
*8/9/14*



OFFICE OF THE DIRECTOR GENERAL  
FEDERAL INVESTIGATION AGENCY (HQ)  
ISLAMABAD



No. FIA/IBMS/PD OFFICE/2013/11146-48 Dated 10<sup>th</sup> September 2013

To,

The Director  
FIA KPK  
Peshawar

Director	
Deputy Director	
Chief Supdt.	
Deputy Chief Supdt.	
Chief Asst.	
Deputy Chief Asst.	
Chief Clerk	
Deputy Chief Clerk	
Date	12/9/13

Subject: IRREGULARITIES / LAPSES IN IBMS DATA ENTRY OPERATIONS AT BKIAP PESHAWAR.

While analyzing IBMS Data in respect of International Travelers for the year 2012 of the BKIAP Peshawar, it has been observed that Immigration Counter officers working on IBMS/PISCES have fed incomplete / wrong / fictitious passport numbers with some ulterior motives, criminal negligence or casual behavior ensuing in violation of sanctity of the IBMS Data which could be used in preparation of accurate travel histories in future.

2. The list of Immigration counters officers making incomplete / wrong / fictitious entries of passports alongwith details of entries for the year 2012 are enclosed as Annex-A. (04 Pages)

3. It is directed that criminal-cum-disciplinary action against the die-hard wrong-doers and departmental action against the casual wrong-doers may be initiated so that this ugly practice of making false / fake entries could be brought to an end.

4. Furthermore, it is directed all the Immigration counters officers may be briefed about the sanctity of preservation of the data and consequences of the failure to adhere to the required standards.

*Sir* As per directions in para. 03, SCN may be issued to all the officials mentioned in list and PUC may be sent to DD/Immigration for compliance as reported in para 04.

*M. Ghalib A. Bandesha*  
(M. Ghalib A. Bandesha) PSP  
Project Director IBMS  
FIA HQ Islamabad

Director/SA

ISSUE  
SCN  
13/09/13

CC:

- 01. Director General FIA
- 02. Director Immigration, FIA HQ Islamabad

*Sir* Fair SCN are submitted for signature  
Director SA

57 = =

(9) (23) (4)

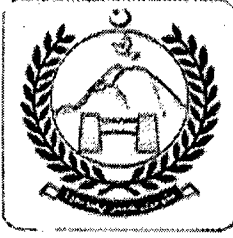
(47)

## Travelers data with wrong/fake feeding of Passports Numbers

Peshawar International Airport

Year 2012

Counter Officer	Name	Nationality	Passport No.	Flight Date	Flight
Safiq Ullah	MUHAMMAD AMAN	Pakistan	314970	22-12-12	EK636
	BANAT KHAN KHAN	Pakistan	314864	01-02-12	NL707
Aman Ullah	MUHAMMMAD ARIF	Pakistan	314964	29-11-12	QR346
	SAKHI MARJAN	Pakistan	AF09888041	10-05-12	PK218
	HARAM ZAMAN KHAN	Pakistan	KH11032014	24-01-12	PK895
	RAHIM SHAH	Pakistan	LG51444031	25-06-12	SV797
	KALSOOM KALSOOM	Pakistan	AN47910941	03-04-12	GF784
	MAJID KHAN	Pakistan	DEKG874954	16-02-12	EK637
	SAYED ABU ALI SHAH	Pakistan	KZ 5146541	20-03-12	EY261
	HUKAM KHAN	Pakistan	ADE4116321	29-04-12	NL756
	FAZAL KHA	Pakistan	315956	29-11-12	EK636
	KHAN SHAHZAD	Pakistan	JH41113281	28-06-12	NL786
	NAVEED AKHTAR	Pakistan	CW1342211	07-04-12	NL757
	Amzar Ali	SYED MADI HUSSAIN	Pakistan	KH	24-12-12
SYED MADI HUSSAIN		Pakistan	KH	04-10-12	SV782
ASIF IQBAL		Pakistan	JC13394121	13-01-12	PK756
Ashraf Khan	MUBARAK ALI	Pakistan	314890	29-05-12	GI784
	GUL ZAMIN	Pakistan	314866	12-02-12	GF784
	NAOMAN KHAN	Pakistan	314931	27-09-12	QR346
Farman Ullah	SYED MADI HUSSAIN	Pakistan	KH	23-12-12	XY740
	MUHAMMAD SADIQ	Pakistan	314900	09-06-12	QR346
	GUL ZEB	Pakistan	9MMKG500633	30-06-12	G9553
	MUDASIR ALI	Pakistan	314905	28-06-12	QR346
	HIKMAT HUSSAIN	Pakistan	KG81437772	30-12-12	PK283
Gui Bayan	HAROON RASHID	Pakistan	314906	21-07-12	QR346
	ABDUL QADIR	Pakistan	314880	19-05-12	QR346
	AMIR ZAMAN	Pakistan	740051	03-07-12	GF785
	RAZAULLAH KHAN	Pakistan	AQ41111001	01-06-12	PK283
HUSSAIN AHMAD	SYED RAFI UD DIN	Pakistan	AF95966441	15-05-12	PK283
	ABDUL HALEEM	Pakistan	0AD6754721	21-05-12	PK283
Hameed Ullah	NASFER	Pakistan	KH1862	03-01-12	PK258
	SAEED ULLAH	Pakistan	BH	12-04-12	PK284
Khalid Niaz	MUHAMMAD BADSHAH	Pakistan	AE	09-09-12	PK224
	FALERABI	Pakistan	AC90933151	27-09-12	PK288
	GHAFFARKHAN	Pakistan	TJJJKV4114691	16-09-12	NL756
LATIF MARWAT	HABIBURREHMANKHAN	Pakistan	KH181	30-11-12	PK756
Muhammad Imtiaz	GUL SHAD	Pakistan	KH09095546	23-04-12	PK735
	ABDUL HALEEM	Pakistan	0AD6754721	26-06-12	PK284
	LAL ZAMIR KHAN	Pakistan	KG25012013	24-04-12	SV796
	KHAN MUHAMMAD	Pakistan	KG85227742	14-05-12	PK206
Muhammad Tariq	MOHMMAD AMIN	Pakistan	KG	11-06-12	PA611
	KHADIMALI	Pakistan	314953	10-11-12	QR346
Muhammad Akbar Khan	JAN ALAM	Pakistan	AJ	16-05-12	NL722
Muhammad Ullah	SYED MADI HUSSAIN	Pakistan	KH	01-11-12	NL772
	MAEEN KHAN	Pakistan	314921	20-09-12	QR346



**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 632 /ST

Dated: 7-3- /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

To

The District Police Officer,  
Government of Khyber Pakhtunkhwa,  
Bannu.

Subject: JUDGMENT IN APPEAL NO. 1429/2019 MR. KHALID NIAZ.

I am directed to forward herewith a certified copy of Judgement dated 02.02.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR

KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR